

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ZURICH AMERICAN LIFE INSURANCE :
COMPANY, : Civil Case No.: 1:20-cv-11091
: (JSR)
Plaintiff, :
v. :
: **NOTICE OF MOTION**
JON NAGEL, :
: Defendant. :
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PLEASE TAKE NOTICE, that upon the annexed Declaration of Christine L. Hogan, Esq., dated March 24, 2021, and the exhibit annexed thereto, the Memorandum of Law in Support, and upon all prior pleadings and proceedings had in this action, Defendant Jon Nagel, through his attorneys, Wigdor LLP, shall move this Court, at the United States District Court, Southern District of New York, 500 Pearl Street, New York, NY 10007, at 11:00 AM on April 28, 2021, the currently scheduled oral argument date, or as soon thereafter as counsel can be heard, for an order: (1) striking certain, identified portions of Plaintiff's Complaint pursuant to Rule 12(f) of the Federal Rules of Civil Procedure; (2) granting dismissal of all causes of action against Defendant pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure; and (3) granting such other, further and different relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's March 3, 2021 Order (Dkt. No. 11), opposition papers must be served and filed on or before April 14, 2021 and reply papers must be served and filed on or before April 21, 2021.

Dated: March 24, 2021
New York, New York

Respectfully submitted,

WIGDOR LLP

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